



# **MEETING MINUTES**

## **BOARD OF SUPERVISORS, COUNTY OF MONO**

### **STATE OF CALIFORNIA**

Regular Meetings: The First, Second,  
and Third Tuesday of each month

#### **REGULAR MEETING**

County Courthouse  
Bridgeport, California 93517

**February 12, 2008**

**9:00 a.m. Meeting Called to Order by Chairwoman Bauer**

**Pledge of Allegiance led by Supervisor Reid**

#### **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

*No one spoke.*

#### **BOARD MEMBER REPORTS**

**Supervisor Reid** reported on the following issues and activities:

1. On February 6<sup>th</sup> spent the day in Walker at the Senior Center and the Workshop. Improvements will be made to the Senior Center (septic tanks and painting). Claudia Bonnet is doing well, but frustrated with the lack of support from Inyo County. The temporary cook is doing well and the food is very good.
2. Attended the Assessment Appeals Board on the 7<sup>th</sup>. The Cino property was settled with a negotiated stipulation. The assessment was reduced from \$16 million to about \$9.8 million.
3. Attended the Antelope Valley RPAC on the 7<sup>th</sup>. Kelly Garcia gave an update on the Mountain Gate project and the playground equipment survey; Reid commended Garcia for her involvement. Asked the RPAC if they would support Reid taking a "no action" stance with LTC on the proposed High Point project due to the negative economic impact to the community.
4. Attended the LTC on February 11<sup>th</sup>. Had a road closure workshop with various agencies; discussed a variety of ideas to make the procedure work better. Also talked about MOU projects (Benton and Chalfant), discussed the High Point project, and discussed problems with noise caused by big trucks using engine brakes through Walker.
5. After LTC, met with Tom Wallace, the CAO, and Supervisor Hazard to discuss strategies about Inyo County and IMAAA. Don't believe Mono County is getting its fair share of funding for senior programs.
6. Attended the Northern Mono Chamber of Commerce last night. They discussed an upcoming ATV event, the High Point project, and the proposed Caltrans project to reduce deer kills using fences and a tunnel. The community is not sure this will work, and expressed concern about the visual impact of the fences.

7. Distributed a written report from Bruce Woodworth concerning the CSRC&D meeting. He will keep the Board informed.
8. Ed Miltenburg, rancher in the Walker/Coleville area, recently passed away.

**Supervisor Hunt** reported on the following issues and activities:

1. Attended the First 5 Commission meeting on Wednesday. Reviewed a schematic design for the new child care facility, which will possibly be erected on the corner of one of the school properties. The facility will cost \$6-8 million; financing has not yet been determined. Various groups are collaborating on this project; the project will add stability to the community.
2. Attended a Mammoth trails meeting. The organization wants to collect as much information as possible from users so they can get an idea about the appropriate development of access and trails.
3. Skiing has been really good and the word is out.
4. Attended the Mammoth Lakes Housing board meeting on Thursday. Had a presentation of a study about collaborative planning for Mammoth Lakes. The idea is to integrate a variety of agencies in order to coordinate planning needs and desires. The subject of board representation was raised; it seems to be a good time to consider new members and ideas. Hunt has been a member of the board for a long time and volunteered to resign.

**Supervisor Hazard** reported on the following issues and activities:

1. Held office hours in Chalfant on the 8<sup>th</sup>. Received 25-40 slides of floods in Tri Valley in the 1990s; gave the slides to Kelly Garcia. They could be a useful record.
2. Attended LTC yesterday. Need to figure out ways to break up the wind along 395 south of Mammoth; a tree break is an option.
3. Had a lunch meeting with Supervisor Reid, Tom Wallace and Dave Wilbrecht to discuss IMAAA issues.
4. Caltrans has funding available to do visioning in Benton. Several issues have been identified as needing more discussion.
5. County funds contributed for fire programs in Mammoth will be used to buy a chipper, which will be available for County use.
6. The park and ride at the junction of Highway 395 and 203 has not been plowed. Will follow up.
7. When filing Form 700, suggested to the other Board Members that they mail it using certified mail so they avoid a problem he recently experienced.

**Supervisor Farnetti** reported on the following issues and activities:

1. Attended LTC yesterday (was reported on by Supervisors Reid and Hazard). They had a good discussion about road closures, communication amongst agencies and getting information to the public. They also discussed physical changes along the highway, such as snow fences.
2. Referred to a booklet he received about the community visioning process.
3. Unmet needs hearings will start in Mammoth on the 14<sup>th</sup>.
4. Mammoth is preparing for a busy Presidents Day weekend.

**Chairwoman Bauer** reported on the following issues and activities:

1. Attended the user capacity symposium in Yosemite. Visitors are asking to be engaged in helping take care of the land. Chairwoman Bauer provided the following notes:
  - Do we currently have acceptable levels of impact? Are things ok the way they are?
  - Early intervention and establishment of capacity hinders future legal and political crisis. Saves scarce resources in the long run. Also adds predictability, "the sooner, the easier".
  - Capacity plans must go thru or with environment planning process (NEPA, CEQA).
  - Monitoring or limits do not determine capacity.
  - Each place has differing capacity based on infrastructure and management decisions and site durability.

- Draw comparisons from transportation models. Levels of service.
  - Adaptive management procedures need to be pre-set up.
  - Need to inspire visitor cooperation to meet desired conditions (user behaviors greatly influence outcomes).
  - Dispersement and extended hours are 2 examples of solutions.
  - The public wants to do the right thing. Tie experience to personal choice and responsibility.
  - Identify possible user conflicts.
  - Visit other local areas to help identify what too many people looks like ("bishop creek").
  - Consider a range rather than a number.
  - Need to divide places up into smaller chunks on order to have clearer lines.
2. The June Lake Women's Club is painting the community center. The community is mostly self sufficient.
  3. Evan Nikirk reported on the Clark Track Road survey (department reports below).
  4. YARTS is moving forward.
  5. June Mountain will have a shuttle bus to Mammoth Mountain this weekend.
  6. The Rodeo Grounds peer review meeting will be held tonight in June Lake. Last night was a CAC meeting; the community raised questions about several issues, focusing on internal issues not just the Rodeo Grounds.
  7. A constituent called to say he is starting a movement to have Mammoth Lakes unincorporated.

## COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report regarding Board Assignments (**David Wilbrecht**)  
**RECOMMENDED ACTION:** Receive brief oral report by County Administrative Officer (CAO) regarding his activities.  
**David Wilbrecht**, CAO, reported on the following issues and activities:
  1. Spent a lot of time meeting about road closures and snow.
  2. Held department head reviews and meetings.
  3. Spent time working on IMAAA issues.
  4. Attended the LTC meeting.
  5. The agenda review committee is very close to implementing the software. Will make sure departments have access to scanning software.
  6. Continuing to move forward on Sierra Center Mall upgrades.

- 2) **APPROVAL OF MINUTES**  
None

## CLOSED SESSION

***Closed session: 9:05 a.m. through 9:47 a.m.***

***Break: 9:47 a.m. through 9:53 a.m.***

***Reconvened: 9:53 a.m.***

- 3) CONFERENCE WITH LABOR NEGOTIATORS. Government Code section 54957.6. Agency designated representatives: Bob Garret, Dave Wilbrecht, Marshall Rudolph, and Brian Muir. Employee organization: Local 39, as majority representative of the Mono County Public Employees (MCPE) bargaining unit.
- 4) CONFERENCE WITH LABOR NEGOTIATORS. Government Code section 54957.6. Agency designated representatives: Bob Garret. Unrepresented employees: County Counsel and County Administrator.
- 5) CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: *In re Conservatorship of Byrne* (Mono County Superior Court).
- 5a) **ADDENDUM ITEM**  
CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one.

*Item #5a was pulled. The Board had nothing to report from closed session.*

## DEPARTMENT REPORTS/EMERGING ISSUES

**Lynda Roberts** reported on the following:

- 1. The election was successful. Christy Robles, elections manager, will report next week to provide more information. The information sheet for the assessor position has been prepared and will be uploaded to the elections website; Roberts distributed copies to the Board.

**Bob Garret** reported on the following:

- 1. Should have two permanent environmental health specialists in place by early March. Also had a successful day of interviews for the project manger position in Public Works.

**Scott Burns** reported on the following:

- 1. Working with Caltrans staff on a proposal for transportation planning programming. The proposal is mostly for local projects, with about 15% going to the state. In the past, the state has received 40-60%, so a county project may be replaced by a state project.

**Evan Nikirk** reported on the following:

- 1. Provided copies of the official survey being distributed in the Clark Track; results are not final but the project is proceeding. Have received about 60% of the surveys that were sent; so far 60% are in favor of the project. Each parcel will get an individual vote when the time comes. Cost for snow removal will be about \$650 per parcel per year. Will present the survey to the Board once it is complete. Public Works issued a response to Steve Miesel's correspondence (listed below).
- 2. Distributed copies of a letter submitted to Louis Molina in response to a request from the state regarding the Pumice Valley landfill; DWP was copied on this letter. Per state regulations, if the waste stream drops below 30% of what it was, the waste stream either needs to increase or the landfill must close. Public Works plans to keep the landfill open and increase its operation. This will be discussed at the Task Force meeting and brought back to the Board at a later date. The issue of future landfill sites is on the list of priorities.

## CONSENT AGENDA

*(All matters on the consent agenda are to be approved in one motion unless a board member requests separate action on a specific item)*

### SHERIFF-CORONER

- 6) Jail Vehicle Replacement Purchase  
**M08-031** **ACTION:** Authorize the Sheriff's Department to purchase one 2008 Ford Expedition. This vehicle will be used to replace the 2002 Ford Excursion currently in service. The Ford Expedition is on the DGS list and can be purchased directly from an authorized dealer for government service.  
*(Reid/Hazard, 5-0)*

## REGULAR AGENDA

### CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

#	Received	Dated	From	Subject
7a)	1-29-08	1-22-08	Steve Miesel to Mono County Board of Supervisors	Clark Track Survey
7b)	1-29-08 postmarked	1-29-08	Senator Dave Cox to Supervisor Bauer, cc: Supervisor Hap Hazard	Response to inquiry to Verizon regarding a fully looped telephone communications system to provide emergency response services in Mono and Inyo counties during service outages

*Chairwoman Bauer acknowledged receipt of the correspondence.*

## HEALTH AND HUMAN SERVICES

- 8) Appointment of Mono County Representative to the Workforce Investment Board  
(**Tom Wallace and Ed Zylman**)  
M08-032 **ACTION:** Approve the appointment of Ed Zylman, Social Services Director, to serve as the Mono County representative to the Kern, Inyo and Mono Counties Workforce Investment Board.  
(**Hazard/Farnetti, 5-0**)

Tom Wallace: Recommended the appointment of Ed Zylman to the Workforce Investment Board. This is another regional JPA set up to administer federal funds for workforce training and placement. The board is structured in a way that of the 39 members, one is from Mono and one is from Inyo—the remaining members are from Kern County. It is important for Mono County to have a voice. Zylman administers the WIA (Workforce Investment Act) program locally.

Ed Zylman: Funding is tied to the farm bill, which is not progressing so funding has plummeted. Kern County does not have a lot of interest in Mono County, and without a firm voice expressing Mono County's needs, the situation will get worse. Zylman has a good relationship with a peer in Kern County, but it will take some work to ensure that Mono County gets a fair share of the funding. The WIA is a vocational program for people who lose their jobs, or for teens in need of training. Zylman has taken steps to cut administrative costs in the department by combining the program with other programs.

## PUBLIC WORKS

- 9a) Summary of 2007 Gate Fee Waivers (**Evan Nikirk**)  
M08-033 **ACTION:** Authorize the Public Works Director to extend the countywide wood waste waiver program from April 1 to October 31, 2008, finding it is in the public interest to encourage residents to create defensible space around structures.  
(**Hunt/Farnetti, 5-0**)

Evan Nikirk: Last year the Board authorized Public Works to waive fees in order to encourage property owners to create defensible space. The program was implemented county wide by the fire chiefs who distributed wood waste waiver coupons. The Benton Crossing Landfill and Walker Transfer Station were the biggest participants. About 400 coupons were redeemed, and \$2,000 in gate fees waived. Fire Chief Stump was supportive and said it is a good program; he hopes it continues. The Board also authorized Public Works to waive gate fees to encourage community volunteer efforts to clean up public land; the department issued six waivers last year (about \$50 waived). Lastly, the Board authorized Public Works to waive gate fees for the Hot Creek demolition. About \$2,100 was waived, but Public Works will receive about \$2,000 in salvage fees.

Board Members agreed this is a good program. Supervisor Reid said he hopes the program will include vacant lots and not just property with structures.

**9b)**

**Road Fund Long-Range Planning Workshop (Evan Nikirk)**

**ACTION:** (1) Conduct workshop to discuss current and future funding and resources for Public Works' Road Division. (2) Review recent snow removal efforts in the context of those resources. (3) Receive staff report regarding current personnel allocations, status of existing heavy equipment, planning for heavy equipment replacement, projections for future operations funding, and street improvements potentially available through Proposition 1B funding. (4) Provide any desired direction to staff.

Evan Nikirk: Regarding the question of snow removal in light of the recent series of storms, the level of service must be considered with available funding. Nikirk distributed copies of an analysis regarding the replacement of heavy equipment, and highlighted the following:

- Generally, each road district has two graders, loaders, and dump trucks; permanent snow blowers are assigned to areas except Walker because of lighter snow falls in that area. Each district also has pick-up trucks assigned to it.
- The report addresses the age of the fleet; several trucks have had problems passing the annual smoke tests to meet air quality standards. Vehicles in the fleet need to be replaced in order to satisfy the diesel air control requirements.
- Will need a replacement schedule because the total cost will be over \$10 million.
- Options: (1) can retrofit vehicles to achieve admission standards, (2) can re-power vehicles (replace engines and emissions), or (3) can replace old vehicles with new. Due to the age of the fleet, the first two options don't seem to be viable. It may be possible to retrofit the landfill equipment.
- Funding: Will need a minimum match of about \$500,000 from the general fund to the road fund. Have not received increased funding from the state and expenses from the road fund will exceed state funds.
- Need to consider how to maintain the level of service, which will have an impact on the general fund, or consider reducing the level of service. Currently operating on a bare-bones budget and using three-man crews (for snow removal) instead of four in an effort to reduce costs.
- The Carl Moyer program (through the Great Basin Unified Air Pollution Control District) can provide assistance with equipment replacement and retrofits; will include the information in next week's presentation. The fund would cover 80% of the costs and the County would cover 20%.

**Board Questions and Comments:**

- Supervisor Hazard: The air pollution board voted to give some of the funding to San Joaquin County, so about \$100,000 is available. The County has done a good job on small vehicle replacement and ambulance replacement; heavy equipment is the final round in the discussion. Equipment failure causes inefficiency since replacement equipment has to be brought in to finish a job. The County needs to meet mandates, part of the problem is that state money has been withheld for a decade; the Board needs to have a vehicle replacement plan. Hazard's district has six times more roads than other places in the County, so there needs to be enough equipment and personnel to do the job. The expectation is the same but demand has increased; also, post storm is an issue—how rapidly can Public Works get the roads open prior to the next series of storms?

- Supervisor Farnetti: The Board needs to be made aware of and consider potential major expenses which departments are facing over the next 5-6 years. The road fund is supposed to take care of problems described by Nikirk, but it isn't so communities are dealing with inadequate service.
- Supervisor Reid: This problem needs to be approached like the facilities study, considering priorities as well as short- and long-term needs. Citizens are expecting more service, so this issue is a priority. Reid asked for more information about the state road fund money. Nikirk said the state can divert the funds when a fiscal emergency is declared; the money is protected, but they can still withhold it. Every county is in the same situation with their equipment. Reid suggested that Mono County take a position paper to CSAC and RCRC in order to push the issue.
- Chairwoman Bauer: New equipment is only one part of the issue—staff is another issue. Does it help the road fund to transfer workers within the department? Brian Muir said even though the road fund pays for staff time, transferring staff saves money because workers aren't being paid when there is a lack of work. Bauer asked if the same purpose would be served with temporary employees. Nikirk said yes, but it is hard to find people to work seasonally. Bauer pointed out that an assessment district presents a different problem. She plans to get onto the transportation committee with CSAC. Bauer asked for an assessment of what seemed to be different about the last three storms. Nikirk said part of the problem was old equipment and new staff; wind was also a big factor in the Swall Meadows area, blowing snow drifts onto newly plowed roads.
- Supervisor Hunt asked for various scenarios from which the Board can choose (scenarios with state funding and without state funding). RCRC has also been discussing heavy equipment needs and funding.

Nikirk said he has spoken with Brian Muir about financing possibilities. Caterpillar offers 4% over five years, and money will be available when the department makes the last payment on equipment purchased in 1999. Mono County has access to Prop1B funding that can be used for road and bridge rehabilitation projects, thus accelerating some of the proposed road improvements. Nikirk will bring a project list to the Board at a future meeting. He also said RCRC and CSAC both solicit comments from public works directors, and will usually join together to present a position paper.

In reference to road funds, Brian Muir said if the County uses general funds for this purpose, the state won't have a reason to provide additional funding. He recommended that the Board be conservative, and suggested making one major purchase each year and using GTIP funds or additional road funds for new equipment.

Chairwoman Bauer said the Board needs to identify the level of expectation and talk about policies.

Steve Anderson provided a brief summary about issues that occurred during the recent storms since he was directly involved on the ground. The department has limited personnel resources, mainly in the southern part of the County. Also, the population is dispersed and this causes issues with keeping roads open.

Nikirk said he will bring back specific plans next week.



***Break: 12:02 p.m. through 12:12 p.m.  
Reconvened: 12:12 p.m.***

**ADDENDUM ITEM  
BOARD OF SUPERVISORS**

- 10)** Review and Potentially Approve an Amendment to the Purchase and Sale Agreement for the Sale of a portion of the "Church Parcel" to the California Judicial Council Administrative Office of the Courts **(Dave Wilbrecht and Mark Magit)**  
**M08-034** **ACTION:** (1) Approve an amendment to the Purchase and Sale Agreement for the sale of a portion of the Church Parcel to the Judicial Council Administrative Office of the Courts. (2) Authorize the Chair of the Board of Supervisors to execute the amendment.  
***(Hunt/Hazard, 5-0)***

Marshall Rudolph: This is a simple amendment having to do with improvements to Sierra Park Road. The details have been worked out to the Town's satisfaction. Even though this is a Town issue, the Board needs to approve the amendment because the County is a party to the agreement. The amendment has been reviewed by the County Counsel's office.

**ADJOURN: 12:44 p.m.**

***The meeting was adjourned in memory of Jeff Irons, County employee who recently passed away. Chairwoman Bauer called for a moment of silence.***

Mono County Board of Supervisors will meet in regular session on **February 19, 2008**, at the hour of 9:00 a.m. in the Board Chambers, County Courthouse, Bridgeport, California.

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